

POOR BOARD CASE ARGUED AT LENGTH

FULL MERITS OF THE CASE NOW
BEFORE COURT.

It is Expected That Final Disposition Will Be Made of It in the Near Future—Case Was Argued Yesterday by John F. Scragg, Attorney for the Poor Board, and Attorney L. H. Burns—Other Cases That Had a Hearing Before Court Yesterday.

The quo warranto proceedings brought against Frederick L. Terpe, in which Frank Dickert was substituted as defendant in the case of the commonwealth ex. rel., John R. Jones, district attorney of Lackawanna county, against Frederick L. Terpe, came up for argument yesterday. The answer of Poor Director Dickert, which was filed about ten days ago, was demurred to by L. H. Burns, attorney for the relator.

The answer of Dickert sets forth a number of facts upon which he bases a claim for a jury trial and therefore puts himself upon the county. Mr. Burns in his argument, admitting all the facts set forth in the answer of the respondent, still insisted that the right to hold the office of poor director, by virtue of the power of appointment conferred upon the president judge of the county by the act of assembly, 1866, which is clearly unconstitutional for two reasons, viz.: "The title of the act not clearly setting forth the contents of the act, and also the expression of two distinct subject matters, the respondent has not put in questions sufficient material facts to entitle him to a jury trial, and it is merely a question of law, or to be more particularly the constitutionality of the act, or the unconstitutionality of the act of 1866, which was passed two years subsequent to the amendment of the constitution, which requires that the title of an act shall clearly set forth the contents of the act."

ACT IS MISLEADING. Not only does this act not do this, said Mr. Burns, but it is clearly misleading as it was intended to do undoubtedly when it was framed. He characterized it as a "snake act," by which term such acts of assembly were known years ago.

Attorney John F. Scragg, who appeared for the respondent, argued that these questions, with the exception of the constitutional question, had all come up before the courts in previous suits and had been disposed of by learned judges and attorneys who favored the law which authorizes the president judge to appoint the poor directors. He admitted, however, that the constitutional question had never been raised before, although for thirty-three years this appointive power had been exercised by the president judges of Luzerne and Lackawanna counties. Mr. Scragg contended that the people by their acquiescence during all these long years had approved of this law and had no cause to complain and even though the court should construe it as unconstitutional, by long lapse of time it ought to be recognized as law.

Mr. Burns, in answer to this, said that the legislation of 1866 took the right of election of poor director out of the hands of the people by such a high-handed method that this court should immediately place it where it belongs, and he further asserted that the people and each individual taxpayer in Lackawanna county had a

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See and \$1.00, all druggists.
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right to complain and protest immediately after the passage of this very bad law and every year since, when the tax collector presents his tax claim.

He had a right to know how and where his money was being expended, and when the people's money is expended it should be by officers chosen by the people and not by officers appointed by the president judge of the county.

A point brought out by Mr. Burns that was not contended heretofore is that in the event of the Act of 1866 being declared unconstitutional, then we shall fall back on the Act of 1862, which provides for the election by the people and in case of vacancies the judges of the court of quarter sessions, and not the president judge of the county, shall appoint. The full merits of the case are now before the court and it is expected that final disposition will be made of this case shortly.

ACTION IN OTHER CASES.

Argued—B. R. Carr against Charles S. Withersill, rule for substitution; Jeanette Jones against Mary Thomas, rule for a new trial; Mary Barrett against John Palmer and others, rule for new trial; Commonwealth ex. rel. John R. Jones, against William Edmunds, demurrer; M. Alice Scanlon against A. J. Smith, rule to strike off appeal; J. W. Guernsey against W. C. Froud and others, rule to strike off judgment and rule to affix revenue stamp.

Rule absolute—Levi S. Wagner against Israel Bittenbender and others, exception to affidavit of defense and rule for judgment, in three cases; Mary Duffy against Mary Duffy, rule to strike off plea and appearance; C. F. Crossman against Sarah Neary and others, exceptions to affidavit of defense and rule for judgment.

Rule discharged—Charlotte Sykes

against Dr. Alan Cleif, rule for a new trial; Margaret Smith against the Jersey and Rushbrook Water company, rule for a new trial; D. O. Carpenter against S. W. Cowperwaith, rule to open judgment.

Submitted—Olive R. Brower against Nathan R. Brower, Milo E. Hatten against Lizzie Hatten, C. M. Laughlin Wilkins against Fred Wilkins, Clementine Renwick against Robert Renwick, rules for decree in divorce; Henry Rubin against W. J. Borgan and others, rule for a new trial, and rule for the adoption of Edith Rule.

Continued—Annie An Drakus against Anthony An Drakus, rule for decree in divorce; Conrad Verman against the German Building and Loan association, rule for a new trial.

Arguments were also heard on the rule for costs in the matter of the objections to the nomination papers of John Nee. In the case of Edwin C. Best & Co. against Oswald Jones, the rule for security for costs was allowed and the plaintiff was directed to give security in the sum of \$100 within thirty days.

Large Damages Asked.

Edmund T. Davis and his wife, Etta T. Davis, who reside on Millfin avenue, began suit yesterday against the Scranton Railway company to recover \$20,000 damages. The proceedings were instituted for them by Attorneys Waller & Torrey.

Mrs. Davis was a passenger on a trolley car that was struck by a Delaware and Hudson passenger train on the Carbon street crossing one night during the latter part of last December.

She suffered from the fright and shock which, she alleges, have caused permanent injury to her health.

Yesterday's Marriage Licenses.

Michael Sorki Archibald Mary Dauria Archibald Peter Swedish Scranton Louisa Yonko Scranton John Phillips Scranton Nellie McHugh Scranton William Elchstedt Scranton Mary E. Elder Scranton

Court House News Notes.

Hugh B. Andrews was yesterday appointed deputy constable of the First ward of this city on the petition of Constable Seth Smith.

Attorney H. C. Butler filed his report as auditor of Fell township with Clerk of the Courts Daniels yesterday. It shows that the indebtedness of the township is \$4,174.81.

The hearing of A. A. Vosburg's writ of mandamus to compel the city council to accept his bond as city solicitor was continued yesterday until Saturday. Judge Knapp appeared for the council and made a motion to quash the writ. His two points were that the district attorney ought to have appeared for the commonwealth ex. rel. and that the service was too short.

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For Sanative Uses.

Its remarkable, emollient, cleansing, and purifying properties, derived from CUTICURA, the great skin cure, warrant the use of CUTICURA SOAP, in the form of baths for annoying irritations, inflammations, and chafings, for too free or offensive perspiration, and also in the form of internal washes and solutions for ulcerated weaknesses, and for many sensitive, antiseptic purposes which readily suggest themselves to women, and especially to mothers. The use of CUTICURA Soap will suggest itself in the severest cases.

Sold throughout the world. PUTNEY D. AND C. CO., Props., Boston. CUTICURA SOAP BOTTLES, FREE TO WOMEN.

Hopeless Sufferers

"Hope Deferred Maketh the Heart Sick."

In a city like Scranton there must be many hundreds of disease-stricken mortals who, after having been buoyed up by unfulfilled promises made by unskilled or catch-penny doctors for several years, have almost resigned themselves to their fate, and grown sick at heart in despair.

Cheer Up Suffering Ones

Do not let hope die. There are no two physicians in this state that have had more experience or more thorough insight with every form of disease that flesh is heir to than the undersigned have had, and while we cannot cure in every case, we stand ready to prove that the percentage of perfect recoveries to our credit is phenomenally large, and we will at least be honest enough to tell you at the outset whether or not we can cure your case.

Consultations and Examinations Absolutely Free and Strictly Confidential.

We have every modern appliance known to medical and surgical science at our command, and examinations made by us are thorough and searching.

J. D. WOOD, M.D., LL. D.
ALICE C. WOOD, B.S., M.D.

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Special Attention Given to Business and Personal Accounts.

Liberal Accommodations Extended According to Balances and Responsibility.

3 Per Cent. Interest Allowed on Interest Deposits.

Capital, - - - \$200,000
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HENRY BELIN, Jr., Vice Pres.
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The vault of this bank is protected by Holmes' Electric Protective System.

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127 AND 129 WASHINGTON AVENUE.

New Prices on Spring Jackets

Just the right time now to cut the prices on the Spring Coats. Everybody who don't possess one of the New Spring Jackets

will want one and will buy one now, at the new price we quote. For the cool evenings, the chilly days and the summer jaunt a light coat is indispensable. A hundred and fifty coats, all of the finest tailor-made, are to be sold at exactly a saving of 33 1/3 per cent. to the buying public.

They're Connolly & Wallace garments and you may be assured that they are right in every sense.

At \$4.00==Jackets of Fine Cheviot Cloth, in black and tan shades, some plain, others half lined with silk—our regular \$6.00 lines.

At \$5.50==Cheviots and Covert Cloths are used principally in the make-up of this lot, which are our \$7.50 and \$8.50 grades. Many of them are lined throughout with silk and all are of a goodness that you will speedily recognize.

At \$7.50==The choicest lot of \$10.00 and \$12.00 high-grade garments we have ever seen. All sorts of cloths are used—Venetians, Whipcords, Broadcloths, Coverts, etc. All are tailored in the finest possible manner, lined and finished with all the up-to-date ideas.

At \$10.00 We offer our entire stock of higher-priced Coats ranging in value from \$16.00 to \$25.00. This lot includes some of the finest and most exclusive things brought out this season by the best garment makers.

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Fortunate circumstances enabled us to buy in the Boston, Lynn, Newburyport and Haverhill shoe markets thousands of dollars worth of stylish, desirable and serviceable footwear of all sorts from concerns in need of ready cash, in fact for less than cost of making of shoes, not mentioning the leather in them. Besides, we are satisfied with a small profit, and our immense outlet enables us to sell all sorts of shoes and oxfords for less money than any other house in the world. Need we stronger emphasize the wonderful qualities?

MEN'S SHOES AT LESS THAN COST OF MAKING

250 pair men's fine Vici Kid Russet, hand-sewed, up-to-date shoes, all toes and all widths; sizes nearly regular; made to sell at \$3 and \$4 a pair, our bargain price only \$1.98 and \$2.29.
60 pair odd sizes, Men's Patent Leather, mostly 6 1/2 and 7; hand-sewed, congress and lace, worth \$3.50, at \$1.98.

Ladies' Shoes and Oxfords

278 pair Ladies' Vici Kid Turn Shoes, button and lace, kid and patent tip; up-to-date styles; real value \$3.00, our bargain price only \$1.98.
200 pair Ladies' Dongolia Fine Shoes, button and lace models; sell at \$2.00, our price only \$1.49.
35 pair Ladies' Fine Vesting Top Turn Lace Shoes; made to sell at \$4, our price only \$2.29.
36 pair Ladies' 10-inch Bicycle Tan Shoes, highest quality shoe made; real value \$4, our special price only \$2.29.
300 pair Ladies' Russet and Black Lace and Button Shoes at 79c, 98c, and \$1.29.
Misses' Shoes at all prices.
Boys' Shoes at 98c.
Youths' Shoes at 98c.
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Call and examine our shoes and bargains before buying elsewhere. Remember, we are the cheapest shoe store and you will save money by it.

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IMPORTERS AND RETAILERS OF COSTUMES AND SELECT DRY GOODS.

ALL OTHERS READ ELSEWHERE

This is especially written in the interest of

The Girl of the Class of '99

Not the least part of our early summer attentions is directed toward the interest of the GRADUATING GIRL. We have followed this bent for so many years that it has become a specialty with us; yes, and a perfected specialty. We have first studied the fashions that pertain to these wants. During the past few years our Paris connections have aided us by suggestions and models for correct wear, and today this store stands alone in Northeastern Pennsylvania as the greatest repository of feminine wants for CLASS DAYS and COMMENCEMENTS.

Not behind any former year in point of assortment, goodness of materials and supremacy of styles, is this year's gathering; from the gown with its trimmings and ribbons to the hosiery, gloves and fan.

All graduating girls, even those of limited means, when arranging for their gowns for these supreme occasions, plan for an attractive ensemble.

This is a helpful store. Whether your taste be hampered with a limited purse or not, you'll find here just what you'll need, and at just the prices which you have planned to expect.

We said this was a helpful store. As proof, we have prepared a little booklet on

Fabric for Graduating Gowns

which not only dwells on its title subject, but hints at the trimmings, etc., that are charming and stylish. We are not only Fashion Sellers, but we are Fashion Writers—we therefore think this little booklet and its accompanying samples of correct FABRICS will interest you.

A postal card request and the postman will bring it to you; and we thank you beforehand for even that limited opportunity of serving you.

ISAAC LONG.

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Recently Purchased at Sheriff's Sale

Is being rapidly bought up by the shrewd buyers who realize that this is no fake sale but that every yard of goods and every article must be sold absolutely.